

Remarks

Claim Rejections – 35 USC 102(b)

Claims 1-3, 8 and 10 stand rejected as being anticipated by Schlecht et al (Schlecht).

Valid rejection under 35 USC 102 requires that each feature of a rejected claim be disclosed in a single reference. “For anticipation under 35 USC 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present.” MPEP 706.02(a)

The windup window shade with the amplified drive mechanism according to Schlecht is quite different in function from the claimed invention.

According to Figure 1 of Schlecht the winding shaft is seated in a rear element 44 having two legs 45 and 46 extending at right angles therefrom, in which the windup shafts are rotatably seated (column 5, lines 1 to 4). This winding up shaft comprises a bearing journal 47 located in the center of the rear element. This bearing journal is seated in a bearing bore 48 of a holder 49, which is fixedly anchored in the vehicle underneath the rear window shelve (column 5, lines 6 to 9).

Due to this structure and specific bearing means the rear element 44 can rotate about the bearing journal 47, which is seated in the bearing bore. Due to the compression springs, which are located each on the end of the rear element, a middle position is achieved (columns 11 to 14).

This does mean that the rear element is rotatable according to the prior art mentioned in the description and shown in Figure 1 of the present invention.

Beck et al. (MM) 54 387 10/753,843
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The cited prior art in the description of the present invention is nearly identical to Schlecht. A parallel US Patent 6,547,307 B2 based on the German priority document DE 100 57 762 A1 is mentioned in the introductory portion of the description of the present invention.

The present invention, however, is different in function. This difference is achieved by the features of the present claim 1. This construction of the bearing arrangement has the advantage that the winding shaft permits a variable alignment in a plane substantially parallel to the plane of the pull-out blind. Therefore, transverse stresses in the blind and thereby waves or folds in the blind can be avoided.

Schlecht, however, does not show a variable alignment in a plane substantially parallel to the plane of the pull-out blind. The rear element 44 is rotatable about the bearing journal seated in the bearing bore 48 of the holder. That means that no movement is enabled parallel to the pulling out direction.

Therefore, the present invention according to claim 1 is not anticipated by Schlecht.

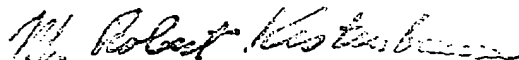
Furthermore, the present invention, as claimed, is not made obvious by Schlecht. Schlecht only shows one seating for the rear element about which the rear element is rotatable. To keep the rear element in an appropriate parallel position to the pulling out direction, on each end a spring element is provided to keep the center position. For a person skilled in the art no advice is given by Schlecht to change this principle or to choose any alternative solution. Therefore, the claimed invention is not obvious by Schlecht.

With respect to the rejection referring to claim 2, we changed the expression "a winding shaft axis 18" to "a winding shaft 6".

Claim 10 is amended as follows: "[[the]] a respective retaining element 12".

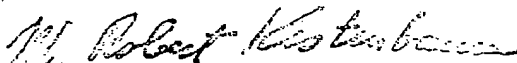
Please further consider and allow the claims in this application, as not amended.

Respectfully submitted,



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I hereby certify this correspondence is being submitted to Commissioner for Patents, Washington, D.C. 20231 by facsimile transmission on March 19, 2005, fax number (703) 872-9306.



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